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LAW OFFICES OF
DAVID T. BOWEN, P.C.

1042 TERRACE ST.
MUSKEGON, MICHIGAN 49442

RECEIVED MAR 30 2012

DAVID T. BOWEN
GREGORY R. TODD
Of Counsel:
DAVID K. FATH, JR.

PHONE: (231) 726-4484
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March 29, 2012

20th Circuit Court
414 Washington St.
Grand Haven, MI 49417

Re: ***Ervin Joseph LaMie, Jr. v Greg Smith, et al***
Case No. 11-02489-CH
Our File No. 4299-039-006

Dear Ladies:

Enclosed please find the following for filing in connection with this matter:

1. Notice of Intent to Enter Order for Contempt of Court
2. proposed Order for Contempt of Court (original + 1 copy)
3. Proof of Service

A copy of the same has this date been forwarded to parties of record.

Thank you for your assistance in this regard.

Sincerely yours,



Gregory R. Todd

GRT:skw

Enc.

cc: Ervin J. LaMie, Jr.
Edward E. Wasiura
David W. LaMie
P.W. Services, Inc.

STATE OF MICHIGAN

IN THE 20th CIRCUIT COURT FOR THE COUNTY OF OTTAWA

ERVIN JOSEPH LAMIE, JR.,
Plaintiff,

Hon. Edward R. Post

v

File No. 11-02489-CH

GREG SMITH and
PAMELA SUE SMITH, husband and wife,
DAVID W. LAMIE, ERVIN J. LAMIE SR.
MURIEL D. LAMIE, husband and wife,
FRED BENDER, JR.,
jointly and severally,
Defendants.

Ervin J. LaMie, Jr.
Plaintiff, In Pro Per
5494 Wilson Road
Fruitport, MI 49415

Edward E. Wasiura (P30555)
Houghtaling, Wasiura & Catalino, PLC
*Attorney for Defendants Greg Smith
and Pamela Sue Smith*
1189 Peck Street, P.O. Box 976
Muskegon, MI 49443-0976
(231)722-2222


David T. Bowen (P38946)
Gregory R. Todd (P70978)
DAVID T. BOWEN, P.C.
*Attorney P.W. Services, Inc., as
Conservator for Ervin J. LaMie, Sr.
and Muriel D. LaMie, Defendants*
1042 Terrace Street
Muskegon, MI 49442
(231)726-4484

NOTICE OF INTENT TO ENTER
ORDER FOR CONTEMPT OF COURT

TO: Clerk of the Court
Edward E. Wasiura, Attorney for Smith
Ervin Joseph LaMie, Jr.

PLEASE TAKE NOTICE that the proposed Order for Contempt of Court in this cause, copy of which is attached hereto, shall be submitted to the Court for entry, pursuant to MCR 2.602(B), at least seven (7) days from the date of service of Notice of Intent to Enter Order for Contempt of Court upon opposing parties. If no written objections are filed with the Court within seven (7) days of service of these documents upon opposing parties, then said Order for Contempt of Court shall be submitted to the Court for entry.

Dated: March 29, 2012



Gregory R. Todd (P70978)
Attorney for P.W. Services, Inc.

STATE OF MICHIGAN

IN THE 20th CIRCUIT COURT FOR THE COUNTY OF OTTAWA

ERVIN JOSEPH LAMIE, JR.,
Plaintiff,

v

Hon. Edward R. Post

File No. 11-02489-CH

GREG SMITH and
PAMELA SUE SMITH, husband and wife,
DAVID W. LAMIE, ERVIN J. LAMIE SR.
MURIEL D. LAMIE, husband and wife,
FRED BENDER, JR.,
jointly and severally,
Defendants.

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5494 Wilson Road
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Conservator for Ervin J. LaMie, Sr.
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1042 Terrace Street
Muskegon, MI 49442
(231)726-4484

PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF MUSKEGON)

Sharon Woirol, being first duly sworn, deposes and says that on the 29th day of March, 2012, she personally mailed a copy of: **a Notice of Intent to Enter Order for Contempt of Court and a proposed Order for Contempt of Court** to the following interested parties by mailing same in an envelope with postage fully prepaid thereon addressed to:

Ervin J. LaMie, Jr.
5494 Wilson Road
Fruitport, MI 49415

Edward E. Wasiura
Houghtaling, Wasiura & Catalino, PLC
1189 Peck Street, P.O. Box 976
Muskegon, MI 49443-0976

Approved, SCAO

20th STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOR CONTEMPT OF COURT	CASE NO. 11-02489-CH PETITION NO.
Court address 414 Washington St., Grand Haven, MI 49417		Court telephone no. (616) 846-8315

1. In the matter of Ervin Joseph LaMie, Jr. v Greg Smith, et al
 name(s), alias(es), DOB

2. Date of hearing: 03/05/2012 Judge: Edward R. Post

Bar no.

THE COURT FINDS:

3. A motion and affidavit, stating with specificity the allegations supporting contempt, was served and notice of hearing was given as required by law.
4. Specific findings of fact and conclusions of law regarding this proceeding have been made on the record.

5. Ervin Joseph LaMie, Jr. was ordered on 02/13/2012
 Name Date
 to refrain from the filing or recording of any notice of lis pendens relating to the Taft Road property without order of the
 Court

☒ 6. There is ☒ a preponderance of evidence ☐ evidence beyond a reasonable doubt that the person named in item 5
 is guilty of ☒ civil ☐ criminal contempt of court.

☐ 7. The respondent is not guilty of contempt of court.

IT IS ORDERED:

☐ 8. The motion is denied.

☒ 9. Ervin Joseph LaMie, Jr. shall
 Name

☐ pay a fine of \$ _____.

☐ pay costs and expenses of the proceeding in the amount of \$ _____.

☐ pay damages to _____, the injured party.

☐ pay attorney fees in the amount of \$ _____.

☐ be sentenced to the _____ county jail until the following conditions are met:

☒ be sentenced to the Ottawa county jail for 30 days with credit for _____ days served.

☒ other. Sentence suspended on the condition that Ervin Joseph LaMie Jr. refrains from further violation of the Court's Orders.

Date

Judge

Do not write below this line - For court use only

STATE OF MICHIGAN
IN THE 20TH CIRCUIT COURT OF OTTAWA

ERVIN JOSEPH LAMIE JR.

Hon. Edward R. Post

Plaintiff,

File no. 11-02489-CH

V

GREG SMITH
PAMELA SUE SMITH, HUSBAND AND WIFE
DAVID W. LAMIE
ERVIN J. LAMIE SR.
MURIEL D. LAMIE, HUSBAND AND WIFE
FRED BENDER JR.

Jointly and severely,
Defendants

/

ORDER

At a session of said Court held in the City of Grand Haven, County and
State Aforesaid this _____ day of _____, 2012.

PRESENT: Honorable Edward Post
Circuit Court Judge

This matter having come before this Court upon the various motions filed in this
matter and heard on February 13th, 2012, and the Court having reviewed same and being
fully advised in the premises.

NOW THEREFORE, IT IS HEREBY ORDERED that Ervin Joseph LaMie Jr.
shall spend thirty days in the County jail for contempt of court if he files another Lis
Pendens with the Ottawa County Register of deeds concerning this case.

IT IS FURTHER ORDERED that the Sentence is suspended on the condition that
Ervin Joseph LaMie Jr. refrains from submitting another Lis Pendens in this case to the
Ottawa County Register of deeds.

Hon. Edward R. Post
Circuit Court Judge

Subject: Re: 11-02489-CH

From: circuitcourt@miottawa.org (circuitcourt@miottawa.org)

To: pamsmustang@yahoo.com;

Date: Monday, March 26, 2012 7:51 AM

Hello - On March 5, 2012: Motion and Order to Show Cause-Motion for Contempt; hearing held. Plaintiff found in contempt. 30 days jail, suspended.

Those are the Judge's notes in the file. In order to find out, verbatim, what was said, you may order a transcript of the proceedings. If you wish to do so, please contact Kathy at 616 846 8151. Thank you.